

REMARKS

In order to particularly point out and distinctly claim the subject matter which applicant regard as his invention, independent claim 1, as well as claims 2 to 4 dependent thereon, has been amended. Specifically, claim 1 has been amended to include the language "said charge cost being" in subsection d) in order to particularly point out and distinctly claim a charge cost comprised of a price for said goods and services. Also, new claim 9 has been added, in order for applicant to claim a system for purchasing goods or services from a vendor including all the limitations of claim 1, and including a further limitation. Each of these amendments is clearly supported by the original specification; particularly at: page 3, lines 19 through 24; page 4, lines 1 through 23; page 5, line 13; page 7, lines 15 through 20; page 4, lines 7 through 9; and page 7, lines 9 through 10.

The Examiner has rejected claims 1 – 4 under 35 USC §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as his invention. Specifically, the Examiner states that the scope of the system is confusing as to the charge cost element of claim 1. As amended, claim 1, and claims 2 – 4 and new claim 9 dependant thereon, particularly point out and distinctly claim the invention. In particular, claim 1, and claims 2 – 4 dependant thereon, has been amended to include the language "said charge cost being" in order to particularly point out and distinctly claim that the invention comprises a charge cost further comprised of a price for the goods and services.

In view of the amendment of claim 1, and claims 2 – 4, dependent thereon, to particularly point out and distinctly claim a charge cost being comprised of a price for the goods or services, it is respectfully submitted that claim 1, as well as claims 2 – 4 and

new claim 9 dependent thereon, meet the requirements defined under 35 USC §112, second paragraph.

The Examiner has also rejected 1 – 8 under 35 USC §102(e) and §103(a) as being anticipated by or obvious over US Patent No. 6,145,741 to Wisdom, et al. Specifically, the Examiner has stated that claims 1 – 8 are anticipated or rendered obvious by figures 1 and 3 of Wisdom, et al. The Examiner has stated that Wisdom, et al., through figures 1 and 3 discloses a system for purchasing goods or services from a vendor, comprising: a plurality of prepaid credit cards each having a unique identification number and a monetary value printed on its face; storage means for storing said identification numbers and said monetary value for each of a plurality of prepaid credit cards; computing means for approving or disapproving a sale; and communication means for transmitting and receiving between said computing means and said vendor said identification number; and a charge cost comprised of a price for said goods or services, whereby a customer using said prepaid credit card is enabled to anonymously purchase said goods or services.

Wisdom, et al. discloses a universal prepaid petroleum-related and travel card system featuring a pre-paid card that can be utilized at any major brand filling station to purchase gasoline, oil, and optionally non petroleum-related products such as sundries sold at many filling stations. The card system disclosed by Wisdom, et al. comprises a card embodying indicia, which includes indicia for identifying the card as being essentially universal and authentic, and identifying a monetary amount of pre-paid credit. The Wisdom, et al. universal card further comprises means for identifying the purchase of a product and the price of the product, and a card reader responsive for identifying authenticity and universality of the card and for reducing the monetary amount on the

card. The universal pre-paid card disclosed by figures 1 and 3 provides a card “update” function, which enables the user of the card to put more money on the pre-paid card. Col. 3, last paragraph, onto Col. 4; see also figure 1 at 22. Accordingly, the universal pre-paid card can be re-used after the original monetary value has been used up.

Furthermore, the universal pre-paid gas card system shown in figure 1 includes an entry of selected information at block 14. Col. 3, paragraph 3. This selected information includes such information as “user entity” information. Col. 3, paragraph 3. Wisdom, et al. defines “user entity” information as information that “includes any or all of the following: an individual person acting in their personal capacity, a person acting in connection with or on behalf of an organization, a purpose for which or behalf of which the pre-paid card is used, or an account for tracking a use or uses for which the card is employed.” Col. 2, last paragraph. The universal pre-paid gas and travel card disclosed by the Wisdom, et al. patent neither requires nor provides for user anonymity. In fact, the prepaid gas and travel card of Wisdom, et al., electronically transmits “user entity” information, including such information as “an individual person, or a person acting in connection with or on behalf of an organization, a purpose for which or behalf of which the pre-paid card is used, or an account for tracking a use or uses for which the card is employed.”

Moreover, the universal pre-paid gas and travel card system disclosed by Wisdom, et al. does not have a plurality of pre-paid credit cards each having a unique identification number printed on its face, as required by each of applicant’s claims 1-9, as amended. Any identification included in the universal pre-paid gas card disclosed by Wisdom, et al. appears to go towards the universality and authenticity of the card, rather

than acting as a unique identifier for the user. That is to say, the identification on the card may be the same from each card vendor, or may be the same for the specific monetary amount on the card.

On the other hand, amended claim 1, as well as claims 2 – 4 and new claim 9 dependent thereon, provides a system for purchasing goods or services from a vendor, comprising: (i) a plurality of prepaid credit cards each having a unique identification number and a monetary value printed on its face; (ii) storage means for storing said identification numbers and said monetary value for each of a plurality of prepaid credit cards; (iii) computing means for approving or disapproving a sale; and (iv) communication means for transmitting and receiving between said computing means and said vendor said identification number and a charge cost, said charge cost being comprised of a price for said goods or services; whereby a customer using said prepaid credit card is enabled to anonymously purchase said goods or services.

Furthermore, claim 5, as well as claims 6 – 7 dependant thereon, discloses a method of payment for goods or services, comprising the steps of: (i) purchasing a prepaid credit card of a predetermined value from a first vendor, said credit card having a unique identification number and having been issued by an issuing institution; (ii) presenting said prepaid credit card to a second vendor for payment of a charge cost composed of a price for said goods or services; (iii) transmitting said identification number and said charge cost to said issuing institution; (iv) deducting said charge cost from said predetermined value, if said predetermined value equals or exceeds said charge cost; (v) transmitting sale approval to said second vendor, if said predetermined value equals or exceeds said charge cost; and vi) transmitting sale disapproval to said second

vendor, if said predetermined value does not equal or exceeds said charge cost; whereby a customer is able to anonymously purchase said goods or services.

Claim 8 provides a method of payment for goods or services, comprising the steps of: (i) issuing a plurality of prepaid credit cards of various predetermined values, said credit cards each having a unique identification number and being issued by an issuing institution; (ii) recording said identification number of each credit card with a corresponding predetermined value; (iii) distributing said credit cards to a plurality of first vendors; (iv) selling said credit cards at said predetermined value to customers, said selling being effected by said first vendors; (v) purchasing a prepaid credit card of a predetermined value from one of said first vendors, said purchasing being effected by said customer; (vi) paying said issuing institution said predetermined value minus a sales commission; (vii) presenting said prepaid credit card to a second vendor for payment of a charge cost comprised of a price for said goods or services; (viii) transmitting said identification number and said charge cost to said issuing institution, the transmitting being effected by said second vendor; (ix) deducting said charge cost from said predetermined value, if said predetermined value equals or exceeds said charge cost; (x) transmitting sale approval to said second vendor, if said predetermined value equals or exceeds said charge cost; (xi) transmitting sale disapproval to said second vendor, if said predetermined value does not equal or exceeds said charge cost; and (xii) paying said issuing institution a commission on said sale; whereby a customer using said prepaid credit card is enabled to anonymously purchase said goods or services.

The universal pre-paid gas and travel card disclosed by Wisdom, et al. does not comprise a plurality of credit cards each having a unique identification number. Rather, it

merely provides “identifying” information for universality and authentication of the card. There is no disclosure or suggestion in Wisdom, et al. that the identifying information is purely unique. Unlike applicant’s invention, as called for by amended claim 1, claims 2 – 4 and new claim 9 dependent thereon, claim 5, claims 6 – 7 dependant thereon, and claim 8 specifically require a card having a unique identification number, in order to facilitate anonymity of the user. Furthermore, the universal pre-paid gas and travel card disclosed by Wisdom, et al. provides a card “update” function, which enables the user of the card to put more money on the pre-paid card so that the card can be re-used after the original monetary value has been depleted. In contrast, new claim 9 of the subject invention specifically provides that each of the plurality of prepaid credit cards is disposed of after the monetary value printed on the face of each of the credit cards has been exhausted. This feature maintains the anonymity of the user.

Significantly, the universal pre-paid gas card system shown in figure 1 of the Wisdom, et al. patent includes “user entity” information; such information is defined as including information that pertains to an individual acting in his or her personal capacity, or on behalf of an organization. Such information can also include the purpose for which the card is used, or account tracking information. As a result, the card disclosed by Wisdom, et al. does not provide anonymity at all, because the person, or purpose of card use is readily available via the electronic medium. In today’s society, in which identity theft is one of the highest growing theft rates, anonymity is extremely important. The anonymous credit card disclosed by applicant’s claimed invention guarantees privacy for the user by virtually eliminating any and all connections between the cardholder and the card itself. A major advantage of applicant’s claimed invention over standard credit

cards, and the card disclosed by Wisdom, et al., is the limited monetary value of the card, when it is lost or stolen. A further advantage, inherent to the system and method called for by applicant's claims, is the ability of the card to prevent theft of the credit card owner's identity, and consequent impairment of the owner's credit rating.

It is respectfully submitted that the system disclosed by amended claim 1, claims 2 - 4 and new claim 9 dependent thereon, the method disclosed by claim 5, claims 6 - 7 dependant thereon, and the method disclosed by claim 8, patentably define over Wisdom, et al.

Accordingly, reconsideration of the rejection of claims 1 - 8 under 35 U.S.C §103(a) and §112(e) as being anticipated by or obvious over Wisdom, et al. is respectfully requested.

In view of the amendments to the claims and the remarks set forth above, it is respectfully submitted that the present application is in allowable condition. Reconsideration of the rejection of claims 1- 8, as amended, and their allowance, together with new claim 9, are earnestly solicited.

Respectfully submitted,
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